

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION**

JESSICA HODGES, and ESTATE	)	
OF LEE MICHAEL CREELY,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	CV422-067
	)	
CHATHAM COUNTY, GEORGIA,	)	
<i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

Plaintiffs submitted a filing styled as an “*ex parte*” motion. Doc. 75.


Under S.D. Ga. L. Civ. R. 77.1,

Except in emergency situations where it is impossible to contact opposing counsel, and in those situations where it is contemplated by the Federal Rules of Civil Procedure that an *ex parte* motion or application . . . may be made to the Court, attorneys desiring to confer with a District Judge or Magistrate Judge of this Court in chambers relative to a case then pending shall first give proper notice to opposing counsel in the case disclosing the date, hour, and nature of the conference sought and shall satisfy the Judge, or Magistrate Judge, that such notice has been given.

Plaintiffs’ motion does not indicate that they complied with Rule 77.1’s requirements. *See* doc. 75 at 1. Adding to the confusion, the Certificate of Service attached to the motion certifies that “a true and correct copy of

the foregoing was served on all counsel of record and filed electronically with the Clerk of Court's CM/ECF system." *Id.* at 2. For now, out of an abundance of caution, the filing has been restricted. *See* doc. 75. However, Plaintiffs are **DIRECTED** to **SHOW CAUSE** within 7 days from the date of entry of this Order why the filing, doc. 75, and its accompanying attachments, should not be placed on the public docket. Defendants may respond to Plaintiffs' justification for maintaining the filing *ex parte* within 14 days from the date of Plaintiffs' response. Alternatively, within 7 days of the date of entry of this Order, Plaintiffs may notify the Court that the filing need not be maintained *ex parte*. The Clerk is **DIRECTED** to maintain the restricted nature of the filing until further Order of the Court.

**SO ORDERED**, this 19th day of January, 2023.

  
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CHRISTOPHER L. RAY  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA